

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WAYNE VAN SCOY,)	
)	
Plaintiff,)	
)	C.A. No. 05-108-KAJ
v.)	
)	
VAN SCOY DIAMOND MINE OF)	
DELAWARE, INC., a Delaware corporation,)	
KURT VAN SCOY, and DONNA VAN SCOY,)	
)	
Defendants.)	

**ORDER DENYING DEFENDANTS' MOTION
BY DEFENDANTS KURT VAN SCOY, DONNA VAN SCOY, AND VAN SCOY
DIAMOND MINE OF DELAWARE, INC. FOR LEAVE TO FILE AN AMENDED
ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS**

This matter comes before the Court on the Motion by Defendants Kurt Van Scoy, Donna Van Scoy and Van Scoy Diamond Mine of Delaware, Inc. for Leave to File an Amended Answer, Affirmative Defenses and Counterclaims. After consideration of all of the evidence and the briefs and memorandum of the parties, it is hereby

ORDERED and ADJUDGED that Defendants' Motion for Leave to File an Amended Answer, Affirmative Defenses and Counterclaims is hereby **DENIED**.

IT IS SO ORDERED

Date: _____

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of February, 2006, the attached **ORDER DENYING DEFENDANTS' MOTION BY DEFENDANTS KURT VAN SCOY, DONNA VAN SCOY, AND VAN SCOY DIAMOND MINE OF DELAWARE, INC. FOR LEAVE TO FILE AN AMENDED ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS** was served upon the below-named counsel of record at the address and in the manner indicated:

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VIA FEDERAL EXPRESS

/s/ John G. Day

John G. Day